



The State of New Hampshire
Department of Environmental Services
Water Council

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STATE OF NEW HAMPSHIRE

WATER COUNCIL

Docket No. 05-01 WC

Appeal of Public Service of New Hampshire
In Re: Water Quality Certificate #2003-006

Decision & Order
Assented-to Motion to Continue

Background

On January 18, 2005 Attorney Catherine E. Shively filed a *Notice of Appeal* ("the Appeal") with the NH Water Council ("the Council") on behalf of Public Service of New Hampshire ("the Appellants"). The subject of the Appeal being the New Hampshire Department of Environmental Services, Water Division ("DES") Water Quality Certificate #2003-006.

On February 9, 2005 the Council accepted the Appeal.

On March 14, 2005 a Pre-hearing Conference was held. At the Pre-hearing Conference parties to the appeal informed the Council that they were actively working towards a settlement resolution. A hearing date of May 11, 2005 was set in the event that settlement discussions were not fruitful.

On May 9, 2005 the Appellants filed an *Assented-to Motion to Continue* [the appeal hearing]. In its motion the Appellants state that the Parties have at several times and have agreed in principal upon settlement of the matter, but need additional time to finalize and execute the settlement, at which time the Appellants will withdraw the Appeal. The Appellants request that the Council continue the hearing for a period not exceeding 30 days.

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Order

Assented-to Motion to Continue is **GRANTED**.

So Ordered for the Council by: _____

COPY
Michael P. Delaney, Appeals Clerk

May 10, 2005